


**IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN  
DISTRICT OF GEORGIA  
ATLANTA DIVISION**

Filed in U.S. Bankruptcy Court  
Atlanta, Georgia

APR 14 2023

By: M. Regina Thomas, Clerk  
Deputy Clerk 

**IN RE: JORDAN ARTHUR  
VIEHMEYER AND SAMANTHA  
ALYSA VIEHMEYER  
Co-Debtors & Movants**

**Case No: 23-52516-BEM**

**CHAPTER 7**

**v.**

**CONTESTED MATTER**

**U-Haul Moving & Storage at  
Canton Road  
Respondent**

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**MOTION FOR TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION**

To the Honorable Judge Barbara Ellis-Monro,

I, Jordan Arthur Viehmeyer, am the primary Plaintiff in the above-captioned case, and I respectfully request that this Court issue a temporary restraining order and preliminary injunction prohibiting the Defendant, U-Haul Storage at Canton Road, from proceeding with the sale of my mother's (Jennifer Viehmeyer's) personal property stored in Unit # 1043 and 1063 on 5/15/2023 or any other date, thereafter, pending the resolution of this case.

1. **Likelihood of Success on the Merits:** I believe that I have a likelihood of success on the merits of this case because of the complaints that were filed in [Doc. 27] regarding my Motion for Sanctions for Violation of the Automatic Stay upon the filing of this case pursuant to United States Bankruptcy Code Title 11 U.S.C. § 362(a). The notice that I have attached to this email further demonstrates U-Haul's negligent disregard for the processes and procedures of this court surrounding the Automatic Stay. This may also be a potential violation surrounding your Order and Notice [Doc. 28] **GRANTING** a preliminary hearing on May 10<sup>th</sup>, 2023, at 10 AM. In the original Motion for Sanctions, I proved that U-Haul intentionally made an attempt to collect on a debt which is listed on Schedule G of the forms filed on 4/12/2023. U-Haul was also notified

prior to the last set of emails [See Doc. 27] of the pending bankruptcy case which included the case number. This notice constitutes their 2<sup>nd</sup> attempt to collect on said debt violating 11 U.S.C. § 362(a) on 2 counts.

2. **Irreparable Harm:** If the Defendant proceeds with the sale of my mother's personal property, she will suffer irreparable harm, as her belongings stored in the unit are unique and cannot be replaced. Belongings in these units include items such as important documents, family heirlooms, family photos, furniture and more.
3. **Balance of Hardships:** The balance of hardships tips in my mother's favor because the harm that we will suffer if my mother's personal property is sold is much greater than any potential harm the Defendant will suffer by delaying the sale pending the resolution of this case.
4. **Public Interest:** The public interest is served by ensuring that storage facilities follow proper legal procedures and respect the rights of their customers, as well as by preserving the integrity of the legal process.

Based on the foregoing reasons, I respectfully request that this Court issue a temporary restraining order and preliminary injunction, enjoining the Defendant, U-Haul Moving & Storage at Canton Road, from proceeding with the sale of Jennifer Viehmeyer (my mother's) personal property stored in Unit # 1043 and 1063 on 5/15/2023 or any other date thereafter, until the resolution of this case.

Thank you for your time and consideration in this matter.

Respectfully submitted this 13<sup>th</sup> day of April 2023

/s/Jordan Viehmeyer (*Pro-Se*)  
/s/Samantha Viehmeyer (*Pro-Se*)

3106 Bridgewalk Trail  
Acworth, GA 30101-3013  
Ph # 404-201-0397  
Emails:  
(Jordan Viehmeyer)  
dad@alysaandjordanplustwo.baby  
(Samantha Viehmeyer)  
mom@alysaandjordanplustwo.baby

**A message from U-Haul Moving & Storage At Canton Rd**

U-Haul Moving & Storage At Canton Rd <noreply@we>

Wed 4/12/2023 2:46 PM

To: jordan.viehmeyer@outlook.com <jordan.viehmeyer@outlook.com>

U-Haul MCO 777

120 James Aldredge Blvd

Atlanta, GA 30336

JORDAN VIEHMEYER

466 GREGORY LN # 608

608

ACWORTH, GA 30102

Date: 4/11/2023

**NOTICE of DEFAULT**

Dear Jordan Viehmeyer,

Your right, as occupant, to access storage room #1063, 1043, has been terminated and the contractual landlords lien contained in the Self-Storage Rental Agreement has been imposed. We hereby make immediate demand for full payment on or before 4/25/2023.

The stored property will be advertised and sold to satisfy the lien unless the amount of the lien is paid. A lien processing charge of \$50.00 was added to this lien. Advertising and auction charges will be added if applicable.

You may pay the amount due in cash, money order, or cashier's check only or go to [uhaul.com/signin/](https://www.uhaul.com/signin/) to remit payment and resolve this matter (personal checks will not be accepted).

A statement of your account as of 4/11/2023 is below. Rent and late charges will continue to be added, please call the storage center for a current balance.

Sincerely,  
Manager

**SALE NOTICE**

YOUR GOODS WILL BE SOLD AT PUBLIC SALE ON 5/15/2023 AT OR AFTER: 08:00 AM AT:U-Haul Moving & Storage At Canton Rd  
2800 Canton Rd #2000  
Marietta, GA 30066

THIS IS YOUR FINAL NOTICE!

**Account Summary - Room #:** 1063

	<u>Item</u>	<u>Amount</u>
Monthly Rent	: \$99.95 Rent	\$199.90

Date of Last Payment	:	Feb 1 2023	Delinquent Fees	\$30.00
Amount of Last Payment	:	\$100.00	Other Fees	\$50.00
Payment Due Date	:	Feb 24 2023		
Rent Paid-Thru Date	:	Feb 23 2023	Current Balance	\$279.90